

HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

NEIGHBORHOOD GRILLS MANAGEMENT
LLC and NEIGHBORHOOD GRILLS
HOLDING LLC, individually and on behalf of
all others similarly situated,

Plaintiffs,

v.

NATIONAL SURETY CORPORATION,

Defendant.

Case No. 2:21-cv-00374-BJR

STIPULATION AND ORDER

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Plaintiffs Neighborhood Grills Management LLC and Neighborhood Grills Holding LLC (“Plaintiffs”) and Defendant National Surety Corporation (“Defendant”) entered into a stipulation in this matter on May 12, 2021, recognizing that the policy form at issue in this lawsuit is similar to the policy form in consolidated matters brought before the Court against Fireman’s Fund Insurance Company (“FFIC”) in *Naccarato Restaurant Group, Inc. v Fireman’s Fund Insurance Co.*, No. 3:20-cv-06108-BJR (W.D. Wash.). Dkt. # 14. The Parties stipulated to stay this action pending order(s) relative to FFIC’s motion to dismiss *Naccarato Restaurant Group, Inc.* The Parties agreed that the stipulation in no way affected their rights to appeal the Court’s eventual ruling(s).

STIPULATION AND [PROPOSED] JUDGMENT
UNDER FED. R. CIV. P. 58 - 1
(Case No. 2:21-cv-00374)

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1 The Court has since granted FFIC's motion to dismiss in *Naccarato Restaurant Group,*
2 *Inc.* and, on July 21, 2021, denied a subsequent motion for reconsideration. *Naccarato*
3 *Restaurant Group, Inc.*, No. 3:20-cv-06108-BJR, Dkt. # 66, 85, orders filed in *Vita Coffee LLC*
4 *v. Fireman's Fund Ins. Co.*, No. 2:20-cv-01079-BJR

5 Pursuant to the Parties' prior stipulation, Dkt. # 14, the Parties agree and stipulate to the
6 entry of judgment in this matter pursuant to Fed. R. Civ. P. 58 and consistent with the Court's
7 rulings in *Naccarato Restaurant Group, Inc.* This Stipulation in no way affects Plaintiffs' right to
8 appeal the Court's rulings or judgment.
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10 Dated this 12th day of August, 2021.
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ORDER

Having considered the August 12, 2021 Stipulation submitted to this Court by Neighborhood Grills Management LLC, Neighborhood Grills Holding LLC, and National Surety Corporation, and being fully advised, the Court hereby DISMISSES this action with prejudice.

Dated this 12th day of August, 2021.



Hon. Judge Barbara J. Rothstein
United States District Judge